



Justice Lori Wilbur Presented Award



Justice Lori Wilbur is pictured with Suzie Jones Pranger, President of USD Women in Law

USD Women in Law hosted an event honoring South Dakota Supreme Court Justice Lori Wilbur with its “2012 Attorney of the Year” award on Thursday, September 20 in the law school courtroom. After receiving her award, Justice Wilbur made

some remarks and took part in a question-and-answer session with the audience.

Article from the University of South Dakota School of Law “In Brief,” dated October 3, 2012. Sara Hughes, Editor.

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Welcome to the seventeenth issue of the UJS Newsletter!

Articles, information and feedback are welcome. Articles and information will be printed as space allows. Please email your information to Gloria Guericke.

Chief Justice's Memo

As we end 2012, the UJS is moving forward on many exciting fronts. We are half-way through the upgrade in our software. While change can be a disruption, so far the disruptions are far less than expected.

We also are working with the Executive and Legislative Branches in exploring the possibility of major changes in criminal sentencing by an expansion of alternative programs such as our Drug and DUI Courts.

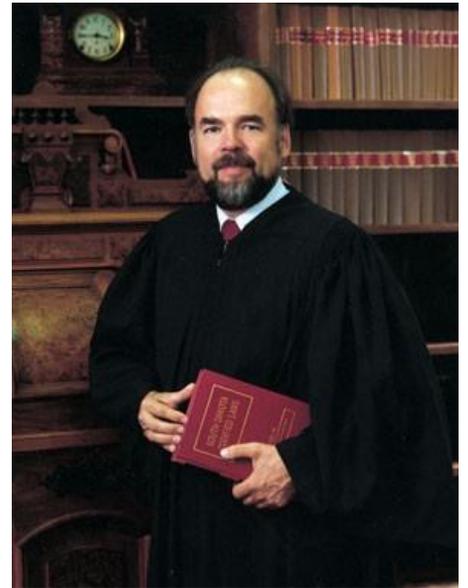
We also are partnering with the State Bar in trying to come up with a program which will reverse the decline of attorneys in rural areas.

A program to assist those who are not proficient in English who come into our Court system is also moving forward.

As Winston Churchill noted, "the farther backward you can look, the farther forward you are likely to see." In that vein, the UJS was the beneficiary of a unique gift from Judge William Srstka of Sioux Falls. For years Judge Srstka has been engaged in finding

picture postcards of courthouses in South Dakota. Some of the postcards date back to the early 1900's. It is interesting to see that in several counties a prior courthouse existed which is now gone and replaced by a newer one. Many were torn down in the 1930's when WPA money became available to build a new courthouse. Also, over the years others burned down, nearly fell down, one was the victim of arson and others could no longer service the growing needs of an expanding population. Some of the early ones were very humble and looked more like a house or country school. As I stated, the collection starts around 1900 and ends in the 1950's. The cards are in black and white except for a few older ones which were artificially colored.

The Supreme Court has approved having Judge Srstka's collection being matted, framed and displayed outside the Supreme Court Courtroom. A large number of the public come through the Capitol each year and this will give them the opportunity to



Chief Justice David Gilbertson

see what their county courthouse looked like decades ago. Once it is up you may also wish to see it. and are welcome to do so.

One final note. For some reason Judge Srstka was not able to find a postcard of Hutchinson County's Courthouse. If any of you know of one or, even better, have access to one, we would really like to make our collection complete.

Merry Christmas and a Blessed 2013.



The most successful men are those who recognize the ego in others, appreciate it, and take care of it. Great men are simple and approachable and never let their achievement or eminence keep them apart from those around.

TRAINER, Joseph B., *Physiologic Foundations for Marriage Counseling*, St. Louis: The C.V. Mosby Company, 1965, p. 54.

Law Clerk Becomes First Female Judge Advocate in SD National Guard History

On Friday, September 21, 2012, Seventh Circuit Law Clerk, Karla Marie MacArthur, of Rapid City, was sworn in as an attorney by Presiding Judge Jeff Davis and then as an officer in the South Dakota Army National Guard. MacArthur, who has served in the South Dakota Army National Guard since 2006, most recently as a human resource specialist, will now serve as a Judge Advocate.

Judge advocates investigate, prosecute and defend those charged with crimes in the military, provide legal advice for soldiers and work with international contracts. "This is a very good day for the South Dakota National Guard and for Lt. MacArthur in particular," said Maj. Gen. Tim Reisch, South Dakota National Guard adjutant general. Reisch told the crowd

of family, friends and supporters that newly commissioned 1st Lt. MacArthur was not only the newest member of the Judge Advocate General (JAG) Corp,

Juris Doctor degree. She will serve as a law clerk to the 7th Circuit until August 2013.



Karla MacArthur is sworn in as an attorney by Presiding Judge Jeff Davis.

"I'm honored to be an attorney in the state of South Dakota and I'm honored to be a judge advocate for a wonderful organization like the South Dakota National Guard," said MacArthur. "Before I ever enlisted, they asked 'What do you want to do and how can we help?' I told them I wanted to be attorney, I wanted to be a judge advocate and I wanted to serve, like many in my family have done in the past. They said if I did the time and the work that they would get me here - and they did."

but the first female appointed in the South Dakota National Guard's 150 year history.

MacArthur graduated from the University of South Dakota in 2007 with a Bachelors of Science in Criminal Justice and a minor in Sociology. She worked for the Department of Social Services until being accepted into law

Article from a National Guard news release.



Act as if it
were
impossible to
fail.

BRANDE, Dorothea, *Wake Up and Live!*, New York: Simon and Schuster, 1936, p. 80.



Karla MacArthur is sworn in as an officer in the South Dakota Army National Guard.

"First Lt. MacArthur proved herself as a great Soldier and noncommissioned officer," said Col. Robert Pasqualucci, SDNG staff judge advocate. "I have no doubt she will prove to be a great officer and judge advocate."

school at the University of South Dakota where in May of 2012 graduated with honors with a

Welcome Aboard!

UJS employees hired, promoted, appointed or retired from September 9 through December 10, 2012.

1st CIRCUIT:

- Patrick Smith, Circuit Judge, Davison/Mitchell
- Jon Vavruska, Court Services Officer, Yankton/Yankton

2nd CIRCUIT:

- Jaclyn Jacobs, Deputy Court Clerk 1, Minnehaha/Sioux Falls
- Kristin Sanchez, Court Services Secretary, Minnehaha/Sioux Falls
- James Gravett, Deputy Chief Court Services Officer, Minnehaha/Sioux Falls

6th CIRCUIT:

- DeVonna Koch, Deputy Court Clerk Magistrate 1, Hughes/Pierre
- Derek Seeley, Court Services Officer, Hughes/Pierre

7th CIRCUIT:

- Tami Cook, Deputy Court Clerk 1, Pennington/Rapid City
- Chelsey Viger, Deputy Court Clerk 1, Pennington/Rapid City
- Jason Livermont, Court Services Officer, Pennington/Rapid City
- Robert Hall, Court Services Officer, Pennington/Rapid City
- Nicholas Baird, Court Services Officer, Pennington/Rapid City
- Victoria Forgey, Deputy Court Clerk 1, Pennington/Rapid City
- Jessica Jacobs, Deputy Court Clerk 1, Pennington/Rapid City
- Debra Svasek, Deputy Court Clerk 1, Pennington/Rapid City

TRANSFER

- Alan Swartz, Court Services Officer,

Yankton/Yankton. Employee transferred from 6th Circuit to 1st Circuit.

- Chele Goeden, Court Services Secretary, Yankton/Yankton
- Brenda Anderson, Senior Programmer Analyst, Hughes/Pierre. Employee transferred from BIT to UJS.

PROMOTION

- Sharon Kraft, Drug/DUI Court Support Specialist, Yankton/Yankton
- Larry Long, Presiding Judge, Minnehaha/Sioux Falls
- Chad Clark, Chief Court Services Officer, 2nd Judicial Circuit
- Angie Kinsley, Drug/DUI Court Support Specialist, Stanley/Ft. Pierre

RETIREMENT

- Jolaine Hegge, Deputy Court Clerk Magistrate 1, Brown/Aberdeen
- Richard Dwyer, Deputy Court Clerk 1, Pennington/Rapid City

When a man has quietly made up his mind that there is nothing he cannot endure, his fears leave him.

PATTERSON, Grove, quoted in *Reader's Digest*, "Quotable Quotes," March, 1958, p. 179.

Jolaine Hegge, Deputy Clerk/Magistrate, Retires

Jolaine Hegge's retirement party was held on November 8.

Judge Von Wald presented Jolaine with a plaque for her 23 1/2 years of service as a Deputy Court Clerk Magistrate in the Brown County Clerk of Courts office.

In honor of Jolaine's years of service, there was a potluck at noon and cake and coffee in the afternoon.

Best wishes, Jolene!



ABOVE: Judge Von Wald presented Jolaine with a plaque recognizing her for her 23 1/2 years of service as a Deputy Clerk/Magistrate.



ABOVE: Left to right: Marla Zastrow, Clerk; Elisha Kuhfeld, Lisa Samson, Jolaine Hegge (honored guest), Peggy Walberg, Beth Schmidt, and Shelley Smith attend the afternoon cake and coffee for Jolaine.



Knowledge is of two kinds.
We know a subject ourselves,
or we know where we can find information upon it.

JOHNSON, Samuel, in Boswell, James, *Life of Johnsons* (April 18, 1775); Act. 66),
Ingpen ed.; George Bayntun: Bath, 1925, Vol. I, p. 527.

Judge Warren Johnson Celebrates 30-Year Anniversary



Jim Seward reads a letter of thanks from Governor Dennis Dugaard while Presiding Judge Warren Johnson looks on.

The 4th Circuit celebrated 30 years of service for Presiding Judge Warren G. Johnson on Friday, November 30, 2012.

The celebration took place at the VFW in Deadwood and was attended by Judge Johnson's family, current and former UJS court staff including several Judges, current and former 4th Circuit Law Clerks, Lawrence County personnel, and several members of the local bar.

Jim Seward from the South Dakota Governor's office presented Judge Johnson with a letter of thanks for 30 years of service to the state from Governor Dennis Dugaard, and Judge Johnson also received a framed certificate of recognition for 30 years of service to the UJS from Chief Justice David Gilbertson.

Judge Johnson began his service as Circuit Judge on December 1, 1982, when he was appointed to the bench of the Eighth Judicial Circuit by Governor Janklow. He was appointed Presiding Judge by Chief Justice Wuest on September 8, 1986, and reappointed by Chief Justice Gilbertson on September 16, 2005.



Judge Johnson with his framed certificate of recognition from Chief Justice Gilbertson and his letter of thanks from Governor Dugaard.



Left to right: Circuit Administrator Mike Pisciotta, Jim Seward from the Governor's Office, and Presiding Judge Warren Johnson.

Judge Johnson's Anniversary Celebration cont'd from pg. 6



Left to right: Jim Seward, Francy Floral, Tim Rensch, Judge Johnson, Holly Farris and Kylie Riggins. Ms. Floral, Farris and Riggins were former law clerks.



Judge Johnson poses with current and retired judges. Left to right: Randall Macy, Jerome Eckrich, Robert Mandel (7th Circuit), Judge Johnson (honored guest), Tim Johns (retired), Michelle Palmer-Percy, Jeff Davis (7th Circuit) and Mary Thorstenson (7th Circuit).

Photos taken by Danielle Glenn, Scheduling Clerk in the Fourth Judicial Circuit. Article submitted by Mike Pisciotta, Circuit Administrator.

Starting December 17, 2012

Starting December 17, 2012 - The Bureau of Human Resources is providing an Employee Assistance Program to benefit eligible employees, spouses, and dependents.

The Latitude Employee Assistance Program (LEAP) is an employee benefit that provides confidential counseling and/or consultation for a variety of issues that may cause you concern. This program is offered through APS Healthcare by calling 1-800-713-6288, 24 hours

a day, 365 days a year; you may also find additional resources at www.apshelplink.com (company code: southdakota).

Some common issues or concerns addressed by LEAP will include family caregiver services, legal services, financial services, convenience services, and counseling services. For further information contact the Bureau of Human Resources or check their website.



“To laugh often and love much; to win the respect of persons and the affection of children..to know that even one life has breathed easier because you have lived—this is to have succeeded.”

EMERSON, Ralph Waldo, *Parade*, 1989.

Fourth Circuit's Drug Court Relocates to New Office Space



Pictured left to right: 4th Circuit CSO Chris Pankratz, 7th Circuit CSO Nicole Drew, 7th Circuit CSO Jeanne Mann, 4th Circuit Drug Court Support Specialist Carrie Greenaway, and 4th Circuit CSO Jayna Frederickson)

On September 12, 2012, the Northern Hills Drug Court of Sturgis moved to a larger office space within the Meade County Courthouse. The office was moved from the secure section of the courthouse to the former Public Health Nurses office on the West side of the building.

The larger space allows the accommodation of up to four Court Services Officers, plus the Drug Court Support Specialist. There is also a satellite office for Chief Court Services Officer Derrick Nedved.

This move within the courthouse provides greater security for the court staff, improved accessibility to the program for the participants, more office space for the collaboration between the 4th and 7th Circuit Court Services officers, and increased privacy for drug testing.

Article and photo submitted by Mike Pisciotta, Circuit Administrator.

Second Circuit Celebrates First Drug Court Graduation



Congratulations to Judge Riepel and the Drug Court Team on their first graduation! Drug/DWI Court Liaison Noreen Plumage commended the Team for their diligence, commitment, and passion for the clients and the drug court philosophy evidenced by the Team's ability to stick to the task at hand, which requires putting in some long hours of hard work above and beyond the regular day. Noreen reminded the group of a quote from Margaret Mead: "never doubt that a small group of thoughtful committed citizens can change the world: indeed it is the only thing that ever has." Congratulations!



I've never been satisfied with anything we've ever built.
I've felt that dissatisfaction is the basis of progress.
When we become satisfied in business we become obsolete.

MARRIOTT, J. Willard, Sr., *Bits & Pieces*, Vol. D/No. 4A, p. 20

Photos from Trainings and Conferences in 2012



Left: Professor Hutton discusses Supreme Court cases at the Fall Judicial Conference. This session is always a popular request from the judges.



Right: Greg Sattizahn presents a session on Ethics with Karl Thoennes at the Deputy Clerk training in Sioux Falls. Greg and Karl posed some interesting ethical situations employees can find themselves in.



Above: The Indian Child Welfare Act (ICWA) Panel discussion at the Children's Justice Conference in Sioux Falls.



Above: Mike Kutzke at the Court Reporters Conference in Sioux Falls brought a humorous message about dealing with change.



Left: State Court Administrator Pat Duggan discusses the Classification System with the Deputy Clerks at the training session in Sioux Falls.

Photos, cont'd. from page 10



Left: Patricia Duggan presents to the Deputy Clerks in Rapid City about UJS's Strategic Plan and Goals.



Right: Karl Thoennes (and Greg Sattizahn) discuss Ethics with the Deputy Clerks at the training session in Sioux Falls.



Left: Tammy Hilian visits with Support Staff in Chamberlain regarding reading body language.



Above: Tara Hicks and Sara Kelly discuss Background Searches at the Deputy Clerk Training in Sioux Falls.



Above: Justice Wilbur at the Drug Court Symposium introduced the Parade of Transformation.



*Christine Christopherson,
Judicial Branch Educator*

Christine's Column

Networking Basics

Step Outside Your Comfort Zone

Many of the common excuses that people use to avoid networking don't hold water, writes career expert Hannah Morgan.

I don't know anyone. Yes, you do! You know past co-workers, friends, family and service providers. Overcome this by believing you are merely seeking knowledge.

I don't have time. Are you saying your career isn't important? Or are you saying you don't understand how networking will help your career?

I can't afford it. Set money aside for coffee, gas, and one paid professional association group meeting per month. Take it from your entertainment/dining-out budget. Be smart about how and when you schedule your meetings.

I'm too shy. Is it uncomfortable? Yes, but this really isn't an excuse. Watch others who do it with ease. Tag along with people who enjoy meeting new people and they will gladly introduce you to others. It is what they love to do. By the way, introverts make excellent listeners.

I don't know what to talk about. You simply need to ask questions about the other person. Focus on learning about them and what they do. Examples: What led you to set up your own business/be an accountant, etc.? How have changes in technology most affected your business? What trends do you see that will affect your organization and industry? What's been the best conference session?

The challenge for many of us is to step outside our comfort zones and do new things, writes Morgan. And you can learn to be more comfortable networking.

— Adapted from "10 Lies We Tell Ourselves About Networking," Hannah Morgan, *U.S. News and World Report*.



“All Rise.” Drug/DWI Court Update.

The Unified Judicial System took a “Powerful Step Forward” towards the expansion of Drug/DUI Courts in South Dakota.

On October 22nd and 23rd, a Drug/DUI Court Symposium was held at the Kings Inn Conference and Convention Center in Pierre. The symposium opened with a welcome from Governor Dugaard and Chief Justice Gilbertson. Among those in attendance at the symposium were judges, defense attorneys, prosecutors, Court Service Officers, treatment providers/directors, Drug/DUI Court Support Specialists, Tribal representatives from Lower Brule and Fort Thompson, law enforcement officials, and Drug Court participants.

A goal of the conference was to educate, as well as unite, those players crucial in the development, implementation and operation of a Drug/DUI Court.

The conference was sponsored by the Unified Judicial System in conjunction with the National Drug Court Initiative (NDCI), who provided the presenters. As evidenced by the evaluations returned from symposium participants, overall the conference was a success and another step forward for South Dakota.

Currently, the two Drug and two DUI Courts operating in South Dakota serve over 70 participants. In January, 2013, Yankton will officially open the doors of a Drug Court in the First Circuit.



*Noreen Plumage,
Drug/DUI Court Liaison*

Minimum eligibility requirements for participation in the intense judicial supervision of a Drug or DUI Court include a current non-violent felony offense directly related to alcohol/drugs. In addition, the participant must meet the criteria/diagnosis of alcohol or drug dependence.

Northern Hills Drug Court

Established in 2007
4th and 7th Judicial Circuit
Judge Michelle Palmer Percy, presiding

Hughes/Stanley County DUI Court

Established 2009
6th Judicial Circuit
Judge John Brown, presiding

Minnehaha County Drug Court

Established in 2010
2nd Judicial Circuit
Judge Patricia Riepel, presiding

Brown County DUI/Sobriety Court

Established in 2012
5th Judicial Circuit
Judge Mark Anderson, presiding

Yankton County Drug Court

Tentative start date, January 2013
1st Judicial Circuit
Judge Tami Bern, presiding



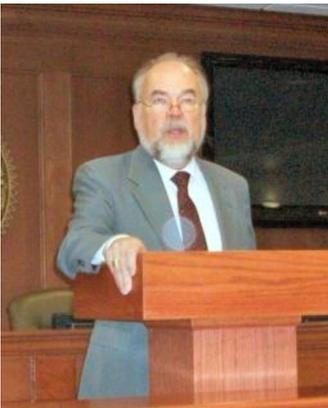
“We the People” Competition

I had the pleasure of being one of several judges for the “We the People” state competition on November 29, 2012, at the Capital. The Chiesman Center for Democracy, Inc. is responsible for the introduction of this program into our schools. Four schools participated in the day-long competition – Lennox, Spearfish, St. Thomas More and West Central.

Chief Justice Gilbertson provided opening remarks, which were well-received. Then the schools were segregated and the judges for each unit visited each school twice. The competition simulates State Senate meetings. Students were grouped together in teams of 3-4 students. Each team was responsible for a portion of the Constitution in which they provided an opening statement and then fielded questions for the judges. They were judged in several areas ranging from Presentation to Knowledge. To say I was impressed is an understatement. Every school was phenomenal, the students were well prepared and I was amazed at their knowledge. But at the end of the day, there could only be one winner and that was the Spearfish school. They will now progress to the national competition in Washington, D.C.

If you ever get the opportunity to participate in this competition, do not turn it down! You’ll be amazed at the wealth of knowledge our youth have!

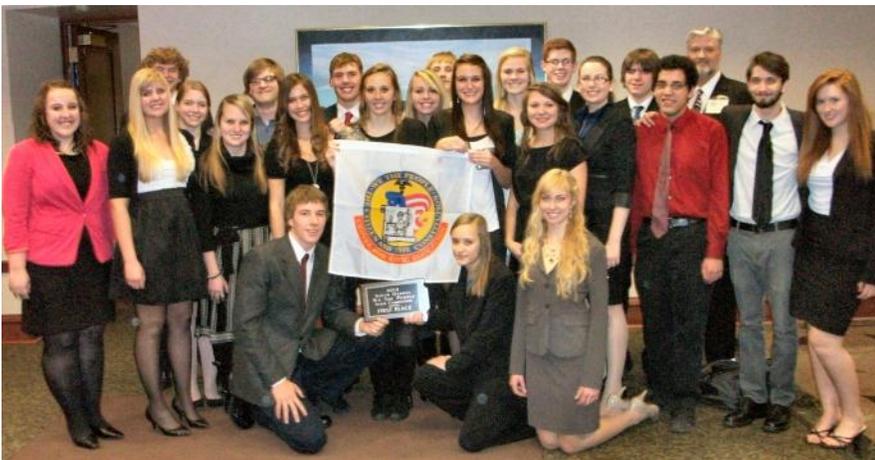
Article and photos submitted by Suzanne Starr, SCAO Staff Attorney



LEFT: Chief Justice Gilbertson at the “Welcome.”



RIGHT: The judges are trained before the competition.



Spearfish’s Winning Team.



The teachers of the four teams.